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**THE HONORABLE MARY JO HESTON  
CHAPTER 13**

**HEARING DATE: October 22, 2020**

**HEARING TIME: 1:00 P.M.**

**LOCATION: Vancouver, Washington**

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**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

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In re:

JOHN MACNAUGHT LARSON,

Debtor.

Case No.: 19-42343-MJH

TRUSTEE'S NON-OPPOSITION RESPONSE  
TO DEBTOR'S MOTION FOR VOLUNTARY  
DISMISSAL OF CHAPTER 13 OR MOTION  
TO APPOINT REALTOR AND APPROVE  
SALE IN THE ALTERNATIVE

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**COMES NOW**, Michael G. Malaier, Chapter 13 Standing Trustee, and responds to  
Debtor's Motion for Voluntary Dismissal of Chapter 13 or Motion to Appoint Realtor and  
Approve Sale in the Alternative ("Motion")(ECF No. 18), as follows:

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**BACKGROUND**

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Debtor filed this Chapter 13 case on July 18, 2019. The applicable commitment period is  
sixty months. The case is currently in the fifteenth month. The bar date for filing non-  
governmental claims was September 26, 2019. Filed unsecured claims total \$30,469.16. The  
Trustee estimates that under the proposed plan general unsecured creditors will receive  
approximately \$44,119.00.

**RESPONSE**

Trustee originally declined to sign off on Debtor's Motion on an *ex parte* basis because Debtor's plan payments were current and Debtor's pre-petition mortgage arrears had not been cured. He was also not advised until the filing of the present Motion of Debtor's intention to sell his residence to resolve the mortgage arrears. Trustee has a policy of not signing off on voluntary dismissals for performing cases; however, in light of the current Motion and Debtor's declaration he does not oppose the relief requested. This response is being filed solely to advise the Court why the matter was set for hearing.

**WHEREFORE**, Trustee requests that the Motion be granted.

**DATED** this 14th day of October, 2020.

/s/ Mathew S. LaCroix

Mathew S. LaCroix, WSBA# 41847 for  
Michael G. Malaier, Chapter 13 Trustee

**CERTIFICATE OF MAILING**

I declare under penalty of perjury under the laws of the United States as follows: I mailed via regular mail a true and correct copy of the Trustee's Response to the following:

John MacNaught Larson  
43 Alpha Drive  
Longview, WA 98632

The following parties received notice via ECF:

Ellen Brown  
Lesley D. Bohleber  
US Trustee

Executed at Tacoma, Washington on the 14<sup>th</sup> day of October, 2020.

/s/Tracy Maher

Tracy Maher  
Office Manager